

STEVE WILDMAN AND JON  
BORCHERDING, INDIVIDUALLY AND  
AS REPRESENTATIVES OF A CLASS  
OF SIMILARLY SITUATED PERSONS,  
AND ON BEHALF OF THE AMERICAN  
CENTURY RETIREMENT PLAN,  
  
Plaintiffs,  
  
v.  
  
AMERICAN CENTURY SERVICES, LLC,  
THE AMERICAN CENTURY  
RETIREMENT PLAN RETIREMENT  
COMMITTEE, AMERICAN CENTURY  
INVESTMENT MANAGEMENT, INC.,  
AMERICAN CENTURY COMPANIES,  
INC., CHRISTOPHER BOUFFARD,  
BRADLEY C. CLOVERDYKE,  
JOHN A. LEIS, TINA S. USSERY-  
FRANKLIN, MARGARET E. VAN  
WAGONER, GUDRUN S. NEUMANN,  
JULIE A. SMITH, MARGIE A.  
MORRISON, AND JOHN DOES 1-20,  
  
Defendants.

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Defendants American Century Services, LLC, the American Century Retirement Plan Retirement Committee, American Century Investment Management, Inc., American Century Companies, Inc., Christopher Bouffard, Bradley C. Cloverdyke, John A. Leis, Tina S. Ussery-Franklin, Margaret E. Van Wagoner, Gudrun S. Neumann, Julie A. Smith, and Margie A. Morrison (“Defendants”) respectfully move this Court for an Order dismissing Plaintiffs’ Complaint in its entirety pursuant to Federal Rule of Civil Procedure 12(b)(6), as more fully set forth in the accompanying Suggestions in Support of Defendants’ Motion to Dismiss the Complaint, and granting such other and further relief as the Court deems just and proper.

There are several grounds for this motion. First, Plaintiffs’ claims are time-barred under the three-year state of limitations contained in the Employee Retirement Income Security Act of 1974, as amended. Second, the Complaint fails to state cognizable claims under Federal Rule of Civil Procedure 12(b)(6).

Dated: August 18, 2016

Respectfully submitted,

**BRYAN CAVE LLP**

By: /s/ W. Perry Brandt  
W. Perry Brandt MO # 28292  
1200 Main Street, Suite 3500  
Kansas City, MO 64105  
(816) 374-3200  
(816) 374-3300 (Fax)  
perry.brandt@bryancave.com

**GOODWIN PROCTER LLP**

James O. Fleckner (*admitted pro hac*)  
Alison V. Douglass (*admitted pro hac*)  
Dave Rosenberg (*admitted pro hac*)  
100 Northern Avenue  
Boston, MA 02210

(617) 570-1000  
(617) 523-1231 (Fax)  
jfleckner@goodwinlaw.com  
adouglass@goodwinlaw.com  
drosenberg@goodwinlaw.com

**ATTORNEYS FOR DEFENDANTS**

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 18th day of August, 2016, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following counsel of record:

Michael F. Brady  
Mark Kistler  
Brady & Associates  
10985 Cody Street, Suite 135  
Overland Park, Kansas 66210  
Phone: (913) 696-0925  
Fax: (913) 696-0468  
Email: brady@mbradylaw.com

Kai H. Richter  
Carl F. Engstrom  
Jacob T. Schutz  
Nichols Kaster, PLLP  
4600 IDS Center, 80 South 8th Street  
Minneapolis, Minnesota 55402  
Phone: (612) 256-3200  
Fax: (612) 338-4878  
Email: krichter@nka.com

Attorneys for Plaintiff

s/ W. Perry Brandt

W. Perry Brandt